

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In re Applications of)	
)	
MCI TELECOMMUNICATIONS)	File No. SAT-ASG-19981202-00093
CORPORATION, Assignor)	Call Sign S2232
and)	
EHOSTAR 110 CORPORATION, Assignee)	
)	
For Consent to Assignment of Authorization)	
to Construct, Launch, and Operate a Direct)	
Broadcast Satellite System Using 28 Frequency)	
Channels at the 110° W.L. Orbital Location)	
)	
)	
AMERICAN SKY BROADCASTING, LLC,)	File No. SES-ASG-19981204-01829 (4)
Assignor)	Call Signs E980180, E980174, E980178,
E970394)	
and)	
EHOSTAR NORTH AMERICA)	
CORPORATION, Assignee)	
)	
For Consent to Assignment of)	
Transmit-Receive Earth Station Authorizations)	

ORDER

Adopted: January 28, 1999

Released: February 1, 1999

By the Chief, Satellite Policy Branch, Satellite and Radiocommunication Division, International Bureau:

1. On January 28, 1999, the Small Cable Business Association (SCBA) submitted an Emergency Motion for Extension of Time to file its response to the Joint Consolidated Opposition of EchoStar 110 Corporation, EchoStar North America Corporation (collectively, "Echostar") and MCI Telecommunications Corporation (the EchoStar/MCI Opposition) to SCBA's Petition to Deny the above-captioned applications.¹ SCBA requests that the Commission extend the filing deadline for SCBA's response from February 1, 1999 to February 4, 1999. We grant that request in this Order, and extend the effect of this grant to all parties to this proceeding that wish to file responses to the EchoStar/MCI Opposition.

¹ On December 15, 1998, the Satellite Policy Branch placed these applications on Public Notice, and set the following filing dates: comments or petitions to deny due January 14, 1999; reply comments or oppositions to petitions to deny due January 25, 1999; responses to oppositions due February 1, 1999. *See* Public Notice SPB-144 (rel. December 15, 1998) (*EchoStar/MCI PN*).

2. SCBA states that counsel to EchoStar provided SCBA with a facsimile copy of the EchoStar/MCI Opposition on January 25, 1999.² Based on the seven day period for filing responses established in the *EchoStar/MCI PN*, SCBA's response to the EchoStar/MCI Opposition is due on February 1, 1999. SCBA also states that although The News Corporation Limited filed a Consolidated Opposition (the News Corp. Opposition) on January 25, 1999, this pleading was served upon SCBA by mail. Based on Section 1.4(h) of the Commission's Rules, SCBA's response to the News Corp. Opposition is due on February 4, 1999.³

3. SCBA seeks this extension for filing its response to the EchoStar/MCI Opposition so that it can consolidate its response to EchoStar/MCI with its response to News Corp. SCBA contends that, as a trade association representing the interests of small cable businesses, it has limited financial resources and therefore, planned to submit a consolidated response to all oppositions filed on its Petition to Deny, rather than individual responses. Due to the parties choosing different service methods, SCBA requests that it be granted permission to file a consolidated response on the latter due date.

4. It is the policy of the Commission that motions for extensions of time shall not be routinely granted.⁴ Under these circumstances, however, we find that granting SCBA's motion for additional time will not prejudice any party in this proceeding if the additional time is also extended to any other parties to this proceeding that were planning to file responses to the Echostar/MCI Opposition on February 1, 1999. Accordingly, we grant SCBA's motion, and extend the deadline for all parties to this proceeding to file responses to the Echostar/MCI Opposition from February 1, 1999 to February 4, 1999.

5. IT IS THEREFORE ORDERED that SCBA's Emergency Motion for Extension of Time IS GRANTED to the extent indicated herein.

COMMISSION

FEDERAL

COMMUNICATIONS

Fern J. Jarmulnek
Chief, Satellite Policy Branch
Satellite and Radiocommunication Division
International Bureau

² "For purposes of this paragraph service by facsimile or by electronic means shall be deemed equivalent to hand delivery." 47 C.F.R. § 1.4(h) (1998).

³ "If a document is required to be served upon other parties by statute or Commission regulation and the document is in fact served by mail (see § 1.47(f)), and the filing period for a response is 10 days or less, an additional 3 days (excluding holidays) will be allowed to all parties in the proceeding for filing a response." *Id.*

⁴ See 47 C.F.R. § 1.46(a).